Education and P.H (1948) Department.

MS SERIES.

G.O. NO. 2843 Edn.

Dated 12-11-48.

[Despatch Abstract.]

Public Services- Sri H. Nageesa Rao, Headmaster, Govt. Trng. School, Mangalore, fixation of pay- Request- Negatived.

Education Department

From

The Director of Public Instruction,
M a d r a s.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, M a d r a s.

R.C.No.1491-K1/48 dated 4th October, 1948.

SIR,

Public Services--Sri H.Nagesh Rao, Headmaster-Government Training School,Mangalore--Fixation of pay - Petition - Submitted.

I submit herewith the memorial dated 5.4.1948 from Sri H. Nagesh Rao, Headmaster, Government Training School, Mangalore together with a letter from him dated 6.8.1948 for orders of the Government.

2. Sri H. Nagesh Rao elected to remain in the existing scale of pay and he requested that he may be enabled to drew a pay of Rs.180/- per mensem in that scale with effect from 1.1.1947 consequent on the orders passed in the Government Memorandum No.37488-A5 Edn.,dated 5.12.1947 with regard to those who elected to come under the Revised Scales of pay. He was informed that his request was inadmissible. He was however requested to state whether he solicits a modification of his election in favour of the Revised Scales of pay in view of these orders. But he states that his petition may first be submitted to Government for orders. In para 4 of his memorial he however states that in case his request could not be conceded he would have no option but to come under the Revised Scales of Pay.

3. Sri H. Nagesa Rao was promoted to Grade I with effect from 4.4.1946. He attains the age of superannuation on 5.9.1951. It is therefore advantageous to him to come under the Revised Scales of Pay.

The request of Sri K. Nagesh Rao for fixing his pay at Rs.130/- per mensem on 1.1.1947 in the existing scale of pay is ineligible but Government may kindly permit him now to modify the election already exercised by him with a view to coming under the Revised scales of pay since the time limit granted for such modifications has already elapsed.

Yours faithfully,

For Director of Public Instruction

Government Higher Elementary Training

Mangalore.
Dated 3rd April, 1948.

To

The Secretary to the Government of Madras,
Education and Public Health Dept.

Through the Proper Channel

Humble memorial of
H. Nagesha Rao, B.A., L.T.
Headmaster, Govt. Hig___ Elementary Training School,
MANGALORE.

Subject:- Revision of pay - School Assistants and Deputy Inspectors of schools - removal of anomaly - consideration by Government prayed for

Ref.:- L. Dis. 431 - K1/48 dated 17-2-'48 of the Director of Public Instruction, Madras. (copy enclosed with a copy of the original petition)

oOOoo----

Respected Sir,

(R) From the points elucidated in the Government memo No.37488.A5 Edn. dated 5-4-'47 while removing anomaly in the case of recent promotees to Grade I, it is evident that only the anomalous cases of those who elected the revised scale have been represented for consideration by the Government. Most of the recent promotees having chosen the revised scale, the few anomalous cases arising - after and on account of revision - in respect of incumbents who elected to continue in the old scale have been lost sight of. The intention of the Government have been clear that incumbents in any "service or classes of posts" should not be adversely affected or placed in an anomalous position on account of the revision.

2. The real position after the revision was that in Grade I two scales came into existence - the revised scale and the old scale The latter was also incorporated into the revised scheme to continue where the revised scale was not an enhancement over the old scale. The revised scale was Rs.160-5-200-10-240 (later 165-5-205-10-245) and the old scale was Rs.150-10-250. The maximum of Grade II being Rs.170 (later Rs.175) in the revised scale the position of recent promotees (promoted prior to 1-1-'47) became anomalous in both the scales. It was hoped that all the cases would be represented to the Government for their kind consideration. But, probably, because most of the promotees had chosen the revised scale, the cases of the few who elected to remain in the old scale were simply let go by default.

3. All those who were promoted before 1-1-'47 to Grade I in the old scale of Rs.150-10-250, and in whose case the scale of Rs.160-5-200-10-240 (later Rs.165-5-205-10-245) is not an enhancement, are entitled to the benefits of the provision in Rule 5 of the Madras Revised scales of Pay Rules 1947, as well as the benefit of the provision in para 4 of the G.O. No.78 Fin. dated 6-2-'47., as the Government have kindly intended to remove anomalies in respect of any "service or class of posts". While it looks as though a double advantage is claimed in this request, in reality it is only a single advantage that has been sought to be conceded. The promotees prior to 1-1-'47 were actually in the scale of Rs.150-10-250, and now one concession only, an enhancement in the same old scale to obviate the anomalous position, has to be granted, even for the same reason as has been set forth in the Government memo No.37488.A.5 Edn. dated 5-4-'47.

4. If the Goverrment, however, are not pleased to consider the case sympathetically and would not concede the beneficial significance of the provisions ~~xx xx~~ cited above, I will have no option left but to come by compulsion to the revised scale in order to avoid the anomalous position, which will otherwise persist until my pay ~~x~~ equalises with that of my juniors, and thus lose the advantages of the old scale, and further to pray for exemption from passing the craft test as I am now over fifty and find it difficult to undergo any training.

5. I therefore hope and pray for such just and generous consideration as the Goverrment may feel and deem it appropriate in the light of the benevolent provisions made by themselves and ~~x~~ under the circumstances of the case herein explained.

For which act of kindness,

I shall for ever gratefully remain
Respected Sir,
Your most obedient servant,

Hiralal Shah

From:
H. Nagesh Rao., B. A., L.T.,
Head Master, Govt. Higher Elementary
Training School, Mangalore.

To:
The Director of Public Instruction,
Madras.

Through
The District Educational Officer,
South Kanara, Mangalore.

Sub:- Promotees among Deputy Inspectors and School Assistan
Grade I - Anomaly arisen in both the revised and the
sting scales - removal in one effected - removal in t
other prayed for.

Ref: RC. No. 121-C3/47 dated 9-12-47 communicating Govt.
andum No. 37488/A.5 Education, Dated 5 - 12 - 1947

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Sir,

All the recent promotees, promoted between 1-1-44 and 1-1-4
on the pre-revision scale of Rs. 150-10-250 in Grade I up to 1-1-
without there being any anomaly between grades I & II. When the
revised scale of 1947 was introduced some of these promotees ele
to come to the revised scale of Rs. 160-5-200-10-240 (later chan
to Rs. 165-5-205-10-245). Thus two classes arose among these pro
one remaining on the revised scale of Rs. 160-5-200-10-240 and ano
in the existing scale of Rs. 150-10-250. An anomaly, identical i
origin and similar in effect, arose in respect of both these clas
because the maximum of Grade II in the revised scale was fixed at
(and later at Rs. 175), which is higher than the minimum of Grade
both the scales. There was anomaly now whatever the scale one ha
choose.

2. In giving the choice either to elect the revised scale or
remain in the existing scale, where the former was not an enhance
over the latter, the Government's intention has been possibly to
embody the existing scale in such cases in the revised scheme, al
the revised scale, without attaching any future disability to it s
an incumbent might choose the one that was more advantageous to h
There are two significant provisions made by them. Rule 5 of the
Revised Scale of Pay Rules, 1947, guarantees the rights of the inc
in the existing scale, while para 4 of the G.O.78 Finance dated 6-
introducing those Rules, provides for consideration to remove anom
or hardships "in the case of any service or classes of posts". I d
therefore, rely upon the significance of these two provisions and
to remain on the existing scale of Rs.150-10-250, over which the re
scale of Rs.160-5-200-10-240 was not an enhancement. My choice wa
rately made without entertaining any sense of doubt or disability
the further consideration of anomaly or hardships that might aris
with those in the revised scale, especially when both were simila
affected.

3. When the Government have felt the need in these hard days
thought it proper to fix the maximum of Grade II at Rs.175/- and wh
they have also given an initial pay of Rs.175/- to one class of
promotees in the same cadre to eliminate a common hardship and iden
anomaly, it hoped they would only be fair and equally just to all an
extend the same kind treatment to all the promotees. I have been a
time on Rs.150/- for nearly 12 years and got into the selection gra

recently as selection grade posts were only 25% of the cadre. therefore pray that a kind reference may be made to the Secretary recommending that my pay may be fixed with effect from 1- 1-[illegible] at Rs.180/- the lowest stage of the existing scale at which it can be fixed with reference to the minimum of grade II and thus relieve the hardships and remove the anomaly owing to which some recent promotees, even juniors among them, and my assistants in the school who have reached the maximum of grade II draw a higher pay than myself.

I beg to remain,

Sir,

Your most obedient servant,

Copy of R.C. No.218-A/47 dated 1-3-1948 of the Divisional Inspector of Schools, Coimbatore Division, communicating Director's Proceedings L.Dis. 431-K1/48 Dated 17-2-1948.

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Sub:- Fixation of pay of Sri H. Nagesha Rao, Headmaster, Govt. Trg. School, Mangalore at Rs. 180/- p.m. in the scale of 150-10-250- request inadmissible.

Read:- From the Divisional Inspector of Schools, Coimbatore Division. N.R.O.C. 298-A/47 dated 9-2-1948.

The Divisional Inspector of schools is requested to inform Sri H. Nagesha Rao that his request is inadmissible.

V.R. Ranganathan,
For Director of Public Instruction.

OFFICE OF THE DIVISIONAL INSPECTOR OF SCHOOLS
10 AUG 1948
COIMBATORE

Government Higher Elementary
Training School,
Mangalore,
Dated 6th August, 1948.

From

H. Nagesha Rao, B.A., L.T.,
Headmaster, Govt. Higher Elementary Training School,
MANGALORE.

To

The Divisional Inspector of Schools,
Coimbatore Division,
COIMBATORE.

Through.

The District Educational Officer,
South Kanara.

Subject - Revision of pay - removal of discrepancy - request for.

Ref. R.C.No.298-A/47 dated 11-7-'48 of the Divisional Inspector of schools, Coimbatore Division communicating Director's Proceedings R.C.1491-K1/48 dated 7-7-48.

Sir,

I have already submitted to the Government a memorial, d) 3.4.48. through the proper channel, for fixing my pay in the light of the provisions in rule 5 of the Madras Revised Scales of Pay Rules 1947, and the provision in para 4 of the G.O.No.78 Fin. dated 6-2-'47. The question submitted for consideration is one for a just and sympathetic interpretation and application of the provisions in the Revised Rules and the G.O. I beg to submit that I am unable to make a definite choice before the ~~interview and the~~ decision of the Government ~~are~~ known. It is my fervent hope that the Government will consider the case sympathetically if the Director is pleased to recommend it for kind consideration. I therefore look up to the Director, as the head of the Department for his kind support and pray that he may be pleased to submit and recommend the memorial.

I beg to remain,
Sir,
Your most obedient servant,

H. Nagesha Rao

Headmaster, Govt.
Higher Elementary Training
School, Mangalore.

Re 454/48 dt 6-8-48

Submitted to the District Educational Officer with reference to his R.C. 3324-A/48 d) 27.7.48

R 298 A/47

Dated 12th August 1948

Submitted to the Divisional Inspector of schools, Co... with reference to his RC.No.298-A/47 dated 11-7-1948.

2. As it is a common grievance, early orders are solicited in the matter.

DISTRICT EDUCATIONAL OFFICER, 13/8/-
SOUTH KANARA.

KRA:13.8.

Rc 1318

R.C.298 A/48 dated 12-9-1948

Submitted to the Director of Public Instruction, Madras with reference to his Pros. Rc 1491 K1/48 dated 7-7-48.

V. Natarajan 14/9/48
Divisional Inspector of schools,
Coimbatore Division

To the Director of Public Instruction, Madras
p.v.v.14/9

Public Services - Sri H. Nagesh Rao, Headmaster, Govt Training School, Mangalore - fixation of pay - Request - Negatived.

pp 1-2 enc: Letter from the D.P.I. No 1491 K1/48 dt 4.10.48

Order (MS) No 2843 Edn dt 12.11.48.

~~The D.P.I is requested to inform the petitioner, Sri Hanagesh Rao, that his request will not be complied with.~~

When orders were issued vide memo No 37488 A-5 Edn dt 5.12.47 laying down the rules for the fixation of pay of Dy directors of schools and Deputy Asstts the petitioner deliberately chose to remain in the old scale of Rs 150-10-250 (pre 1933 scale) as the revised scale of Rs 165-245 was not an enhancement over the old scale Rs 150-250

The D.P.I Speaks.

31/12/48

The fact that the petitioner has retired from service from 5.9.1957 was there even then and no special grounds have now been advanced by him for revoking the election. In the circumstances the D.R.O is requested to inform the petitioner that his requests cannot be granted.

4/11/58 5/11/58 5/11/58

Public Services - Sri H. Nagesh Rao, Headmaster, Govt. Training School, Mangalore - Fixation of pay - Sanction.

Please see the petition from Sri H. Nagesh Rao at pp 3-5 C/f and the remarks of the D.P.I. on pp 1-2 C/f. The file may be sent to Finance for remarks with reference to A on p 2 C/f.

Mk.S
22.10.48

22/10/48

D.O.No. 24610/48 Finance.

E.P.H.No. 76052-H/48
25/10/48

ACCT. SECRETARY GOVERNMENT
93258
25 OCT 1948
FINANCE DEPARTMENT

+3-5 C/f

H/1-2 C/f

Finance

Please see the petition from Sri Nagesh Rao, Headmaster, Govt. Trg. School, Mangalore on pp 3-5 C/f ..... remarks of the D.P.I. on pp 1-2 C/f. The D.P.I has explained in detail on pp 1-2 C/f that the request of the petitioner to have his pay fixed at Rs 180/- p.m. from 1-1-47, is inadmissible. When orders were issued in Memo No. 31408/IV-5 Edn. dt. 5.12.47, laying down the rules for the fixation of pay of Dy. Inspectors of Schools and School Asstts, the petitioner deliberately chose to remain in the old scale of Rs 150-10-250 (pre 1933 scale) - please see portion X on p 1 C/f, as the revised scale of Rs 165-245 was not an enhancement on the old scale of Rs 150-250. Non-special person. The fact that the petitioner will retire on service from 5-9-51 was there even then, and no special grounds have been advanced by the petitioner now for revoking his election. In the circumstances E.P.H.No. is inclined to agree that the benefit

E-PM

A

FIN.U.O.93258/E'47
29.X.46

Please see the notes of finance from plants. Their view at B on pl ants may be accepted. The draft below is for approval.

803.7

ISA
11.11-46